

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT COLUMBIA

JASON WARDEN,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

Civil Action No.: 1:07-cv-0006

**DEFENDANT'S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL BRIEF IN RESPONSE TO
PLAINTIFF'S SUPPLEMENTAL BRIEF ON IMPACT OF NEW AUTHORITY**

ORDER
True motion
to GRANTED
to all
2-29-08

Defendant Metropolitan Life Insurance Company ("MetLife") submits this Motion for Leave to File Supplemental Brief in Response to the Supplemental Brief On the Impact of New Authority ("Plaintiff's Supplemental Brief") filed on February 11, 2008, by the Plaintiff Jason Warden ("Plaintiff"). Through Plaintiff's Supplemental Brief, Plaintiff attempts to refute the impact of the Sixth Circuit's recent decision in Iley v. Metropolitan Life Insurance Co., Case No. 06-2589 (6th Cir. January 18, 2008) on his claims regarding MetLife's decision to deny him long term disability benefits. Plaintiff's Supplemental Brief mischaracterizes the evidence in the administrative record upon which MetLife relied in reaching its decision. In order to refute the assertions made by Plaintiff in his Supplemental Brief and clarify the relevance and impact of the Iley decision to and on the present case, MetLife respectfully requests that it be allowed to file a supplemental brief in